

**MINUTES  
REGULAR BOARD MEETING (7:00 pm)  
SILVER CREEK TOWNSHIP  
MAY 12, 2021**

**Regular Meeting called to order – 7:00 pm**

**Pledge of Allegiance**

**Roll Call – Present: Treasurer Kuriata, Clerk Behnke, Supervisor Saunders, Trustee Braman, Trustee Glynn.**

**Public comment**

**Approval of Agenda** – Treasurer Kuriata asked the motion regarding foreclosed properties should be removed from Agenda, second by Trustee Glynn – motion passed by unanimous voice vote.

Motion by Trustee Glynn, second by Trustee Braman to approve the agenda with this change – motion passed by unanimous voice vote.

Motion to approve Consent Agenda (Monthly reports and bills/claims) -

1-Approval of the Minutes from prior meeting.

2-Communications – letters from community

3-Health and Safety Services Reports – attached

a-Police Report

Chief Grice – added 2 new officers and one will be doing blight soon but there are several changes in the blight paperwork and court proceeding to finalize first.

-158 hours worked; 17 complaints; 7 warnings; 3 tickets; 1 arrest; 11 assists; 39 property inspections.

b-Indian Lake VFD

Chief Hartman – 9 calls

c-Sister Lakes VFD

Chief Lozada – 7 calls

d-Ambulance

Pride Care- 40 calls total; 13-P1;27-P2; avg. resp: 8:08.

4-Building/Zoning reports -

Permits: Building – 7; Demo -0; ZC -9; Mechanical – 5; Plumbing – 7; Electrical - 5;

5-Treasurer's Report- trial balances – GF \$504,251.97; IN Sewer \$429,150.95.

6-Approval of monthly Bills and Claims

|  |                                  |
|--|----------------------------------|
| <p>Motion to approve consent agenda.<br/>Roll call vote: Yes (5) Clerk Behnke, Supervisor Saunders, Trustee Braman, Trustee Glynn, Treasurer Kuriata.<br/>No (0)<br/>Motion passed</p> | <p><i>Behnke<br/>Kuriata</i></p> |
|--|----------------------------------|

**Operational Reports**

Parks & Recreation Committee – Trustee Glynn – Russom Park committee met 5/3; on 5/15<sup>th</sup> at 930 the DYP are having a ground breaking and they are now interested in a new project.

Planning Commission Report – Trustee Braman – next meeting is 5/26<sup>th</sup> at 7pm – short term rentals will be discussed

Public Safety Committee – Supervisor Saunders announced we need 2-3 people to volunteer for this committee and if you are interested in any committee or board please fill out an application

Sewer - Indian Lake - Treasurer Kuriata -bills were mailed out this week

Sewer – Sister Lakes - Treasurer Kuriata – bills were mailed out this week and the SAW grant should end at the end of this month.

Zoning Appeals Board Report – Trustee Glynn – meet 4/21/21 and the appeal was granted.

**CONTINUED BUSINESS**

Ballot Box – Supervisor Saunders – box is installed and appears very secure for payments and ballots.  
Sale of Old Squad Car – Chief Grice - will sell on 5/20/21 at bidergy.com website

Blight Officer- Chief Grice – working on appointing an existing police officer to address blight – they are reviewing some changes in the enforcement process and new forms before he starts.

Landscaping Bid -Supervisor Saunders this is \$95/mo and we should only need it for 6 months of the year.

|   |                           |
|---|---------------------------|
| Motion to approve landscaping maintenance bid.<br>Roll call vote: Yes (5) Clerk Behnke, Supervisor Saunders, Trustee Braman, Trustee Glynn, Treasurer Kuriata.<br>No (0)<br>Motion passed | <i>Kuriata<br/>Behnke</i> |
|---|---------------------------|

Zoning Administrator Position -Trustee Glynn – interviewed 2 people and recommends Mark Davis (he also works in Wayne twp). He can start right away and we already have it in the budget.

|   |                           |
|---|---------------------------|
| Motion to approve Mark Davis as Zoning Administrator effective 6/1/21.<br>Roll call vote: Yes (5) Trustee Braman, Trustee Glynn, Treasurer Kuriata, Clerk Behnke, Supervisor Saunders.<br>No (0)<br>Motion passed | <i>Saunders<br/>Glynn</i> |
|---|---------------------------|

Clean Up Days - cancelled due to lack of manpower. Supervisor Saunders will investigate options for future clean up days

**NEW BUSINESS**

Opening the Township Building – discussion - No changes right now as the public can still come in the building.

|  |                             |
|--|-----------------------------|
| Motion to approve road contracts for \$133,653.89.<br>Roll call vote: Yes (5) Trustee Glynn, Treasurer Kuriata, Clerk Behnke, Supervisor Saunders, Trustee Braman<br>No (0)<br>Motion passed                     | <i>Saunders<br/>Kuriata</i> |
| Motion to approve “Basic” Plan for Computer Services to the Township.<br>Roll call vote: Yes (5): Treasurer Kuriata, Clerk Behnke, Supervisor Saunders, Trustee Braman, Trustee Glynn<br>No (0)<br>Motion passed | <i>Behnke<br/>Kuriata</i>   |

|  |                             |
|--|-----------------------------|
| <p>Motion to approve budget amendment transferring \$200,000 out of the Road Fund balance to the Cass County Road Commission.</p> <p>Roll call vote: Yes (5): Clerk Behnke, Supervisor Saunders, Trustee Braman, Trustee Glynn, Treasurer Kuriata<br/> No (0)</p> <p>Motion passed</p> | <p><i>Glynn Kuriata</i></p> |
|--|-----------------------------|

Presentation: ILIA Treasurer Tom Carlson advised that last August they elected a new chair, have new members and new committees for the weed district and their website. Clerk Behnke asked Tom to forward a list of the new chair and members for our website and he is happy to do so. Tom stated they want to collaborate with the township and have total transparency in everything. They are also now meeting almost every month during the off-season. He said with COVID going on they are not allowed to go into homes so it's impossible for them to gather signatures. He asked the board for a new one-year SAD for Indian Lake Weed Control District and Special Assessment through 4/26/22, and they would plan obtain signatures for a 5-year SAD in 2022.

Trustee Glynn explained PA 188 doesn't have any provisions for extensions and added it would be an incredible undertaking of time and expense for a new one-year SAD. Trustee Braman asked if they put forward a 5-year plan. Tom stated they did their due diligence, sent out RFPs, and just recently signed a contract with someone to do the lake monitoring. Tom said due to the pandemic, it was impossible for them to get out and canvass for signatures. Clerk Behnke explained our attorney has told us the signatures can't be collected one year to be used for the next year. PA 188 requires the SAD collection is put on the winter tax bill, and before that 3 public hearings must be noticed and held, which pushes the signatures to be done early in the year, so this will always be a hassle for the lake associations as some residents are not back in the area yet.

Supervisor Saunders noted under PA 188, the board could give them a new one-year SAD. He said the attorney would draw it up and ILIA would give a plan and budget to support it. If ILIA doesn't provide a plan and budget to support it, then there is no SAD. Trustee Braman asked if ILIA alerted any of the members on the lake over the winter that they may need to collect signatures? Tom stated he was confident they did not need to do the petitions. Trustee Glynn stated Tom never received that impression from him.

|  |   |
|--|---|
| <p>Motion to have the attorney draw up necessary paperwork under PA 188 for a new one-year SAD, no petitions needed, with ILIA paying any related costs.</p> | <p><i>Saunders</i><br/>(no support)</p> |
|--|---|

Trustee Braman asked what our attorney has advised us to do. Clerk Behnke noted everyone has seen the attorney's opinion in writing, a SAD cannot be extended or continued. Supervisor Saunders noted this would be a new SAD. Clerk Behnke noted a SAD is a lot of work for the treasurer and clerk, so having a SAD for one year really makes no sense for us or for them. Tom confirmed they have long range plans for their lake, not just one year. Clerk Behnke asked so why ask for a one-year SAD and then have to get petitions next year? Trustee Glynn read a portion of PA188 which requires ILIA to submit a plan and budget. Clerk Behnke noted any money left over in the current SAD goes back to the taxpayers. Clerk Behnke asked why would you want to do a new SAD without input from the taxpayers? Clerk Behnke noted the petitions are what gives the taxpayers a voice. Trustee Glynn concurred and stated the reason for the petitions is to hear the voice of the people and noted ILIA has

not done petitions in 10 years and there's been substantial owner turnover during that time. Supervisor Saunders noted they could do signatures next year. Trustee Glynn noted we are simply following the law. Clerk Behnke explained that the SAD is still in effect for this year, and there is money to be spent for this year's services. So, at this point, they should be gathering signatures to have money for the SAD for next year along with their plan and budget. Tom indicated they did not advise homeowners they may need petition. The SAD requirements were put on our website last year, but somehow they chose to ignore it. Petitions and instructions were emailed and mailed to them, after our last meeting but they did not act on it. Tom asked if they can get an extension on the June 1 due date to turn in petitions. Clerk Behnke explained all signatures have to be checked as all parties on a property have to sign or it doesn't count per the assessor. Then the assessor uses those properties to calculate the 51% of the area as required by law for the petitions. Then we still need time to publish and prepare for 3 public hearings, all of which drive the reason for the June 1<sup>st</sup> deadline.

Supervisor Saunders stated that he stands by his motion. No support.

Public Comment

**Motion to Adjourn** - Kuriata/Behnke— meeting adjourned at 8:26 pm.

Typed: 5/13/21

To be approved: 6/9/21